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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Thomas L. Benjamin

Art Unit:

1632

Serial No.:

10/828,815

Examiner:

Not Yet Assigned

Filed:

April 21, 2004

Customer No.:

21559

Title:

DIAGNOSING AND TREATING CANCER CELLS USING

MUTANT VIRUSES

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicant submits the references listed on the enclosed Form PTO-1449. Under 35 U.S.C. § 120, this application relies on the earlier filing date of applications serial numbers 10/765,520 filed on January 27, 2004; 09/812,471 filed March 19, 2001; 09/988,117 filed on November 16, 2001; 09/812,633 filed on March 19, 2001; and 10/316,532 filed on December 10, 2002. All references, except for U.S. Patent Application Publication Nos. US 2002/0156039 A1, US 2003/0157481 A1, US 2004/0146861 A1, and US 2002/0018765 A1 were submitted to and/or cited by the Office in the prior applications and, therefore, copies of these references are not provided for this

application.

As the present application was filed after June 30, 2003, in accordance with

M.P.E.P. (Eighth Edition, Revision 2 (May 2004)) § 609(III)(A)(2), copies of U.S. Patent

Application Publication Nos. US 2002/0156039 A1, US 2003/0157481 A1, US

2004/0146861 A1, and US 2002/0018765 A1 are also not provided.

This statement is being filed before the receipt of a first Office action on the

merits.

Submission of this statement is not a representation that a search has been made,

nor is the inclusion of information in this statement an admission that the information is

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03-2095.

Respectfully submitted,

Date: **October 4, 2009**

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Sheet 1 of SUBSTITUTE FORM PTO-1449 00742/062004 U.S. DEPARTMENT OF COMMERCE Attorney Docket No. PATENT AND TRADEMARK OFFICE Serial No. 10/828,815 Applicant Thomas L. Benjamin INFORMATION DISCLOSURE STATEMENT BY APPLICANT Filing Date April 21, 2004 (Use several sheets if necessary) Group 1632 **IDS Filed** October 4, 2004 (37 C.F.R. §1.98(b)) Customer No. 21559 U.S. PATENTS Patent Number Issue Date Class Subclass Filing Date Examiner's Patentee Initials (If Appropriate) 06/18/96 5,527,695 Hodges et al. 5,677,178 10/14/97 McCormick 5,744,133 04/28/98 Lathe et al. 5,917,124 06/29/99 Gordon et al. 6,007,806 12/28/99 Lathe et al. 6,033,857 03/07/00 Tavtigian et al. 6,214,544 04/10/01 Fisher 6,296,853 B1 10/02/01 Androphy et al. 6,344,195 B1 02/05/02 Lee et al. 6,596,268 B1 07/22/03 Coffey et al. FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION Examiner's Document Publication Country or Class Subclass Translation Patent Office Initials Number Date (Yes/No) WO 94/18992 Sept. 1, 1994 **WIPO** WO 94/29442 Dec. 22, 1994 **WIPO** Jan. 18, 1996 WO 96/01313 **WIPO** WO 96/40892 Dec. 19, 1996 **WIPO** WO 98/42195 **WIPO** Jan. 10, 1998 OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION) Aravind and Koonin, "SAP - A Putative DNA-Binding Motif Involved in Chromosomal Organization," Trends Biochem. Sci. 25:112-114 (2000). Bandera et al., "Deletion Mapping of Two Potential Chromosome 14 Tumor Suppressor Gene Loci in Ovarian Carcinoma," Cancer Res. 57:513-515 (1997). Benjamin, "Host Range Mutants of Polyoma Virus," Proc. Natl. Acad. Sci. USA 67:394-399 (1970). Benjamin et al., U.S. Patent Application Publication No. US 2002/0147996 A1, published October 10, 2002. Benjamin et al., U.S. Patent Application Publication No. US 2002/0156039 A1, published October 24, 2002. Benjamin et al., U.S. Patent Application Publication No. US 2003/0157481 A1, published August 21, 2003. Benjamin et al., U.S. Patent Application Publication No. US 2004/0146861 A1, published July 29, 2004. Benjamin et al., U.S. Patent Application Publication No. US 2002/0018765 A1, published February 14, 2002. **EXAMINER** DATE CONSIDERED EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.

Sheet 2 of 7

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